

REMARKS

Claims 1-20 were pending. By way of the present Reply, claims 1-3, 5, and 7 are currently amended and claim 4 is cancelled without prejudice or disclaimer. Claim 21 is added. Claims 1-3 and 5-21 are pending and submitted for reconsideration. Claims 9-20 remain withdrawn. Applicants thank the Examiner for acknowledging Applicants' claim to foreign priority.

Drawings

On form PTOL-326 (Rev. 08-06) of the Office Action, the Office fails to accept the drawings. Applicants respectfully request that in the next communication to Applicants or Applicants' agent, the Office accept the drawings.

Specification Objections

The abstract and disclosure are objected to for containing informalities. The abstract and disclosure have been amended as appropriate. Favorable reconsideration and withdrawal of the specification objections is respectfully requested.

35 U.S.C. § 112 Rejections

Claims 1-8 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. The claims have been amended as appropriate. Some of the subject matter cancelled from claim 1 is now included in claim 21. Favorable reconsideration and withdrawal of the 35 U.S.C. § 112 rejections is respectfully requested.

35 U.S.C. § 102(b) Rejections – Mittinger and Williams

Claims 1-5 and 7-8 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 1,136,698 ("Mittinger"). Claims 1-2 and 6 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,233,726 ("Williams"). Support for the claim amendments can at least be found on page 8, lines 2-36 and page 11, line 20 – page 12, line 37 of the application as filed; Figures 4-6; and originally filed claims 4 and 5.

Claim 1

Claim 1, as amended, calls for a container that comprises, amongst other things, an orifice, “*wherein the deformable connection piece edge region includes a portion configured to extend in a direction substantially parallel to the longitudinal axis, a sloped portion, extending from the portion, configured to run at an angle with respect to the longitudinal axis, and a projection, extending from the sloped portion, configured to project radially toward an inside of the orifice before deformation.*” Mittinger and Williams fail to disclose, teach, or suggest such a container.

Mittinger

Mittinger discloses a portion 5’ that may be bent back and hewed to the outer surface of a barrel 3, thereby clamping the body portion 1 to the shell of the barrel 3. (Mittinger, page 1, lines 94-102). The portion 5’ includes one portion and the entirety of the portion is wedge-shaped. (Mittinger, Figures 1-2). Thus, Mittinger does not disclose, teach, or suggest a, “*deformable connection piece edge region includes a portion configured to extend in a direction substantially parallel to the longitudinal axis, a sloped portion, extending from the portion, configured to run at an angle with respect to the longitudinal axis, and a projection, extending from the sloped portion, configured to project radially toward an inside of the orifice before deformation,*” as recited in claim 1.

Claims 2-3, 5, and 7-8 depend from claim 1 and are allowable, therewith, for at least the same reasons as claim 1 in addition to their respective recitations. Favorable reconsideration and withdrawal of the 35 U.S.C. § 102 rejection is respectfully requested.

Williams

Williams discloses a side wall 30 that is deformed radially into openings 14 provided in a flange 20 of a lip 22. (Williams, col. 3, lines 34-40). As shown in Figure 3 the side wall 30 extends in a straight line before deformation. Thus, Williams does not disclose, teach, or suggest, “*deformable connection piece edge region includes a portion configured to extend in a direction substantially parallel to the longitudinal axis, a sloped portion, extending from the portion, configured to run at an angle with respect to the longitudinal axis, and a projection, extending from the sloped portion, configured to project radially toward an inside of the orifice before deformation,*” as recited in claim 1.

Claims 2 and 6 depend from claim 1 and are allowable, therewith, for at least the same reasons as claim 1 in addition to their respective recitations. Favorable reconsideration and withdrawal of the 35 U.S.C. § 102 rejection is respectfully requested.

CONCLUSION


Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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By 

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